

Message Text

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ACTION NEA-10

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DODE-00 PM-03 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01

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FM AMEMBASSY NEW DELHI

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INFO AMEMBASSY COLOMBO

AMEMBASSY DACCA

AMEMBASSY ISLAMABAD

AMEMBASSY KABUL

AMEMBASSY KATHMANDU

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL HONG KONG

AMCONSUL KARACHI

AMCONSUL LAHORE

AMCONSUL MADRAS

USLO PEKING

CINCPAC

USUN NEW YORK 1873

C O N F I D E N T I A L NEW DELHI 10705

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PINS, PINT, IN

SUBJECT: CURRENT POLITICAL SITUATION

SUMMARY: THE GOI INTRODUCED A LONG CONSTITUTIONAL AMENDMENT BILL

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AUGUST 7 THAT WILL REMOVE MRS. GANDHI'S CASE FROM THE PURVIEW

OF THE COURTS; REMOVES FROM THE COURTS JURISDICTION ALL ELECTIONS PETITIONS INVOLVING THE PRESIDENT, THE VICE PRESIDENT, PRIME MINISTER AND SPEAKER; AND MAKES NON-JUSTICIABLE 15 PREVIOUS ACTS OF PARLIAMENT INCLUDING MISA AND THE REPRESENTATION OF THE PEOPLE'S ACT. PARLIAMENT WILL RECONVENE AUGUST 18 AND WILL PROBABLY RUBBER STAMP NEW AMENDMENTS AND STATUTES WHICH WILL BASICALLY ALTER THE INDIAN CONSTITUTION AND PERHAPS INTRODUCE A PRESIDENTIAL SYSTEM. WHILE THE CPI HAS BEEN URGING THE CONGRESS PARTY TO UNDERTAKE JOINT PROGRAMS, A CPI LEADERS STATEMENT IN PARLIAMENT REFLECTED CPI UNEASINESS ABOUT ITS IMAGE AS A CONGRESS ALLY. TAMIL NADU CHIEF MINISTER KARUNANIDHI ACCUSED THE CPI OF ATTEMPTING TO UNDERMINE HIS DMK STATE GOVERNMENT. THE "EASTERN ECONOMIST" HAS BEEN UNCOVERED. END SUMMARY.

1. LAW MINISTER GOKHALE INTRODUCED A LONG CONSTITUTIONAL AMENDMENT BILL IN PARLIAMENT ON AUGUST 7 THAT WILL REMOVE MRS. GANDHI'S CASE FROM THE PURVIEW OF THE COURTS. THE AMENDMENT WILL BE THE LAST ORDER OF BUSINESS OF THE LOK SABHA AUGUST 7, AND THE RAJYA SABHA AUGUST 8, WHEN THEY ADJOURN. THE REQUISITE NUMBER OF STATE ASSEMBLIES HAVE BEEN CALLED INTO SESSION ON AUGUST 9 TO RATIFY THE BILL, PROBABLY WITH A VIEW TOWARD THE SUPREME COURT HEARING SCHEDULED TO BEGIN AUGUST 11.

2. THE NEW CONSTITUTIONAL AMENDMENT MAKES THE REPRESENTATION OF THE PEOPLE'S ACT, INCLUDING THE CHANGES INTRODUCED IN PARLIAMENT AUGUST 4TH AND SIGNED BY THE PRESIDENT AUGUST 6, NON-JUSTICIABLE. IT PROVIDES THAT DISPUTES RELATING TO THE ELECTIONS OF THE PRESIDENT, THE VICE PRESIDENT, THE PRIME MINISTER, AND SPEAKER TO PARLIAMENT SHALL NOT BE RESOLVED BY THE COURTS, BUT BY A SPECIAL FORUM TO BE CREATED BY PARLIAMENT. ACCORDING TO LAW MINISTER GOKHALE, THE AMENDMENT BILL WILL MAKE THE PARLIAMENTARY LAW CREATING THE NEW FORUM ALSO NON-JUSTICIABLE. AS IF TO REMOVE ANY ROOM FOR DOUBT, THE "STATEMENT OF OBJECTS" INTRODUCING THE BILL SPECIFICALLY STATES THAT PENDING JUDICIAL PROCEEDINGS CONCERNING THE ELECTION OF THE PRIME MINISTER OR SPEAKER TO PARLIAMENT ARE NULL AND VOID".

3. THE NEW AMENDMENT BILL ALSO REMOVES FROM THE PURVIEW OF THE COURTS FIFTEEN OTHER PIECES OF EXISTING LEGISLATION INCLUDING THE PREVENTIVE DETENTION LAW (MISA), STATE LAND REFORMS LAWS, AND

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SEVERAL NATIONALIZATION LAWS. AS REPORTED SEPTEL, A SPECIAL SESSION OF PARLIAMENT IS EXPECTING TO CONVENE ON AUGUST 18. THE GOVERNMENT PROBABLY WILL PROPOSE BASIC CHANGES IN THE INDIAN CONSTITUTION, PERHAPS THE INTRODUCTION OF A PRESIDENTIAL SYSTEM OF GOVERNMENT.

4. AS REPORTED, THE CPI IS URGING THE CONGRESS PARTY TO UNDERTAKE JOINT PROGRAMS WITH IT IN SUPPORT OF THE PM'S ECONOMIC PRO-

GRAM. HOWEVER, THERE IS NOW AT LEAST ONE INDICATION THAT THE CPI IS NOT HAPPY WITH ITS IMAGE. CPI PARLIAMENTARY LEADER INERJIT GUPTA STATED IN THE LOK SABHA AUGUST 7 THAT HIS PARTY IS DETERMINED NOT TO BE THE CONGRESS "B" TEAM. HE THEN WENT ON TO CRITICIZE SHARPLY INFORMATION MINISTER SHUKLA AND THSHGOI FOR THE GOI'S STRICT CENSORSHIP.

5. TAMIL NADU: CHIEF MINISTER KARUNANIDHI HAS RESPONDED TWICE TO A MEMORANDUM SUBMITTED BY THE CPI TO GOI HOME MINISTER BRAHMANANDA REDDY. ONE MEMORANDUM OF AUGUST 3 CHARGED THE MK GOVERNMENT WITH MISUSING EMERGENCY POWERS BY ARRESTING OPPOSITION LEADERS. IN AN OPEN LETTER CARRIED ON THE FRONT PAGE OF THE AUGUST 6 ISSUE OF THE DMK DAILY MURASOLI, KARUNANIDHI STATED THAT THERE HAD INDEED BEEN SOME OPPOSITION LEADERS ARRESTED UNDER THE EMERGENCY BUT THAT THE ARRESTS HAD BEEN FULLY JUSTIFIED BY THE BOOTLEGGING ACTIVITIES OF THOSE ARRESTED. ON AUGUST 7, KARUNANIDHI FOLLOWED UP WITH A SECOND FRONT PAGE OPEN LETTER IN MURASOLI ATTACKING THE CPI FOR FALSELY ACCUSING THE DMK. THE OPEN LETTER WENT ON TO SAY THAT THERE WOULD NO DOUBT BE OTHER MEMORANDA GOING TO NEW DELHI IN AN EFFORT TO TOPPLE THE DMK GOVERNMENT AND URGED PARTY MEMBERS TO REMAIN CALM AND PATIENT.

6. THE MAHATMA BANNED: THE TRUE SENTIMENTS OF THE "EASTERN ECONOMIST" HAVE FINALLY BE UNCOVERD. THE LAST SEVERAL ISSUES HAV FEATURED A VERY SAD COVER PICTURE OF THE GREAT INDIAN PATRIOT CLAD ONLY IN DHOTI WALKING DOWN A DESERTED ROAD WITH HIS BACK TO THE CAMERA. THE BLACK AND WHITE TONES EMPHASIZE THE SOLITUDE OF THE MAN. TO THE RIGHT OF THE FIGURE THERE HAS BEEN AN EMPTY WHITE SPACE, SUGGESTING THAT THE CENSORS EXCISED A GANDHI QUOTE. FOR USING SUCH HERETICAL MATERIAL, THE "EASTERN ECONOMIST" HAS NOW BEEN DEFROKED. THE AUGUST 1 ISSUE APPEARED WITHOUT ANY FRONT COVER.
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